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EDUCATION.

THE desire to give both one's own children, and the young generation at large, a good education, is now very general; but there is a woefully general ignorance as to what is a good education. "We have done all that we could for them," is a common exclamation of parents respecting their children; "we have sent them to the most expensive schools—we have given them all the 'branches'—we have almost ruined ourselves by the schooling of our family. I'm sure, if they do not turn out well, it is not for want of any exertion or sacrifice on our part." Such persons—the nine-tenths of the middle classes—appear to be under the impression that their sole duty is to *pay* for education. If they have only spent a large sum in school-fees, or payment of board, for their offspring, they are content. No matter though a half of the sum has been devoted to an attempt to make a musician out of a daughter altogether destitute of musical ability—no matter though much of the expense was owing to their ambition merely to place their children in a school where they should be amongst children of superior rank—no matter how small a portion of the money has been well directed: the specialties of the expenditure are nothing. We have paid for the best; what could we do more? All this is but the desperate consolation of an ignorance which suspects something wrong, but cannot tell where the something lies or in what it consists, and endeavours to soothe itself into tranquillity with a reflection upon its good intentions. But that the people at large should be ignorant of what constitutes or ought to constitute a good education, is more their misfortune than their fault. The condition of the philosophical world upon this point is not such as to have afforded them the means of being better informed. It is a science only as yet in its dawn, even in the minds of the studious and the inquiring. How was it to be expected that the great bulk of the community should have had the subject well considered?

The general ignorance is now likely to be soon dispelled. The question, what is Education? or what ought it to be? is loudly and universally asked, and thus urged, the philosophical world cannot fail ere long to give a satisfactory answer. Let us, in the mean time, convey to our wide circle of readers a few of the principles which seem to us to have been made out satisfactorily, and upon which alone, in our opinion, it will be possible ultimately to build a right system. Happy do we feel in being able instantaneously to communicate to so many minds information on so important a subject.

Man has a definite bodily constitution, of the exact nature of which we are informed by physiology. We know from this science, that man's bodily system is liable to injury from certain circumstances, and capable of being strengthened and improved by proper treatment. Let each human being be informed of the circumstances which are calculated to injure, and trained to the habits which are calculated to improve. Cleanliness, exposure to air, and moderate exercise, are the requisite habits. If a human being be further furnished with "meat, clothes, and fire," his physical education and support are at once provided for.

Of the mental system of man, it is not so easy to ascertain the particulars. But no reasonable person now doubts that it consists of certain perceptive and reflective powers, certain sentiments and dispositions, all bearing reference to circumstances in his condition, and forming, as it were, the instruments by which the purposes of Divine Wisdom in his creation are brought about. The mental faculties have been implanted in various degrees of power in different individuals, no

doubt for the wisest of purposes. It has been arranged in nature that some should be gifted with great powers, and some with the most amiable dispositions, while others are dull, and many possess overpowering tendencies to selfishness and wickedness. The majority, however, exhibit moderate endowments in all respects, and it is upon these that education is to work its chief good. Brought to bear upon this great mass, a right educational system ought to be found of immense utility in strengthening each useful intellectual faculty, in giving enlightening and serviceable knowledge, and in regulating the moral nature.

Man's faculties, mental as well as physical, are subject to the great law, that exercise increases power. Just as the frequent using of a muscle in our arm expands the volume of that muscle, and gives additional facility, as well as strength, so is any faculty of the mind increased in power by being frequently used. Accustom a child to distinguish niceties in the forms of objects, and it will acquire greater and readier power of distinguishing niceties of form. Accustom it to look into the motives of its actions, and to trace their consequences, and it will in time be the more able to use its judgment. And so on with every other intellectual power. That such is the effect of the use or exercise of a faculty, is proved negatively as well as positively. Suppose a human being reared under such circumstances that its judgment, or faculty for the tracing of cause and effect, was never called into play. That faculty, under such circumstances, would in the long-run become so weak, that its presence in the mind would be doubted. Such is the case with many of the best of the mental faculties in barbarous nations. An intellectual power thus dormant is in precisely the same situation as an arm which a Hindoo devotee has consigned to everlasting torpidity, by fixing it above his head. Exercise, it may be said, is required to *bring out* the intellectual powers, and thus lies at the root even of the old and imperfect ideas respecting education.* Further, it is necessary, for the education of each faculty, that it be brought into action in regard to its properly relative object and theme. It will not do to exercise our intellectual perception of language alone, in order to enable us to think. The exercise of any single faculty goes but little, if any way, to improve the rest. For the education of the judgment, we must be accustomed to trace cause and effect. For the education of our perception of the beautiful, we must have the objects in which that faculty delights, frequently placed before it. That our comparing powers may be improved, we must be accustomed to observe differences and detect resemblances. And so on. All intellectual education in which these principles are not acknowledged, appears to us as mere wandering in the dark.

The mind is not only to be improved in power and promptitude, but instructed. It is of course impossible to educate the faculties without communicating much knowledge. But still much more may be necessary to complete this second department of intellectual education. No person of whatever rank or sex can be considered, we would say, as fully instructed, or redeemed from native ignorance, without at least the rudiments of the following branches of knowledge:—the structure of the universe, as far as we are informed of it by astronomy; the laws of matter and motion;† the laws which govern the combinations and decompositions of matter;‡ the structure

and superficial features of the globe;§ natural history, in all its divisions; man's bodily and mental nature, his physical and moral history, the political condition and divisions of the race throughout the earth, and the laws which govern the production and distribution of the wealth which springs from his exertions for his own comfort. Such is nearly a complete circle of those sciences which either tend to expand and enlighten the mind, or have a direct utility with reference to our individual and our social condition.¶ The sciences relative to the measurement of space and figure,‡ that which relates to numbers,§ and the science of language, are also required, not so much for the enlightenment of the mind, as for various useful purposes in life: they will all of them be taught in the course of the education of the mental faculties to which they respectively refer. In like manner, much of the literature presented to the minds of pupils, and many of the exercises to which they may be subjected, in the course of a liberal education, will have the effect of improving their imaginative powers. We advocate the useful; but our notion of the useful embraces the whole range of the ornamental and the ideal. We would omit no part of mind from our scheme: the whole being must be educated. Lastly, a vast amount of instruction and training relative to

* Geology and Physical Geography.

† Respecting the knowledge part of education, some excellent observations occur in "A Lecture on Education, delivered at the opening of the Second Session of the Edinburgh Association of the Working Classes for their Social, Intellectual, and Moral Improvement, Monday, October 16, 1837, by W. B. Hodgson." This lecture is an admirable exposition of education, and, being published at a moderate rate (Blacks, Edinburgh), is well adapted for circulation among the class to a portion of whom it was addressed.

‡ There is the same mutual adaptation between knowledge and the human mind, as there is between light and the eye, sound and the ear, seed and the earth. The fact that this adaptation exists, is a sufficient reason for our pursuing knowledge. When the Deity on the one hand so constituted seed, that when inserted in the earth it germinates, and grows, and produces fruit; and when, on the other, he so constituted the human body that the fruit nourishes and sustains it, he in the most emphatic manner commanded man to cultivate the earth, and to reap its fruits. And so when the Deity scattered different productions over the different regions of earth, and established a relation between the sea that divides them, and the bodies which float upon it, and when he endowed man with faculties which enable him to trace that relation and apply it to his purposes, and created him capable of enjoying fruits of various climates, he with equal emphasis enjoined on him to carry on commerce, and extend his intercourse with every nation on the globe. And precisely in the same way, when the Deity placed man in a world filled with beautiful and interesting objects, and gave him faculties which find their exercise and enjoyment in the contemplation of these objects, he commanded man to investigate their nature, in other words, to pursue knowledge. Surely it is impossible for a reasonable man to avoid the conclusion, that by cultivating the powers which God has given us, and employing them on the objects which he has placed within their reach, we are not merely best consulting our own happiness, but rendering to him the highest tribute of obedience.

But this is not the only argument for mental culture and the pursuit of knowledge. Besides the enjoyment which results directly from the exercise of the intellect, knowledge has another equally important bearing on human happiness. All knowledge may be comprehensively stated to consist in an acquaintance with the nature of man, the objects by which he is surrounded, and the relations which exist between them. Every thing else is valuable only from its bearing on what I have now defined to be knowledge. The study of our own and foreign languages, for example, is valuable in so far as these throw open to us the stores of knowledge which they contain, and by the mental exercise which they furnish. Now, in proportion to the extent of knowledge thus defined, which man may possess, is his power of multiplying enjoyment, diminishing misery, and bringing the objects with which he is surrounded, to subserve his happiness and improvement.

* The word education is from *educare*, the fundamental meaning of which is to lead or bring out.

† Natural Philosophy.

‡ Chemistry.

§ Geometry.

¶ Arithmetic.

particular pursuits, and to certain useful arts, is required. In this department we place reading and writing (though these arts are called for at an early stage, as means for obtaining the more important parts of education), drawing, music, knowledge of the world and its ways, particular kinds of knowledge requisite for peculiar professions, duties, and stations, &c.

Moral education ought to proceed with equal steps beside intellectual education. The principle which first operates here is example. Very young children are almost exclusively imitative beings. If the habits of its parents, and the other individuals around it, be good, the child will be apt to acquire good habits; if otherwise, the result will be different. The great object is to form good habits; for, these once established, the moral nature of a human being may be said to be self-acting. And for the forming of good habits there is no principle so efficient as example. The child imitates—and is bound in the fetters of habit before he is aware. Precept, hitherto almost the only acknowledged principle in moral education, is the weakest of all. To suppose that any particular set of abstract ideas presented to the mind of a child, and which, if he learns them at all, he only learns by rote, will have any great effect in regulating his conduct, is purely a notion of well-meaning ignorance. This means is not to be overlooked; it will be of some service; but it must not be our sole dependence. The most powerful of all the principles which operate in moral education, is the same which presides over the education of the intellectual faculties—Exercise. If we wish to strengthen the moral nature of a child, we must bring it into the circumstances which will call the moral nature into play. To awaken benevolence in a child, we must bring it into scenes of suffering, and interest it in the business of ministering relief; we must accustom it to regard its fellow-creatures in all circumstances with kindness. In order, again, to fix habits of justice and veracity, we must accustom the child to feel respect for the rights of others, and to regard a lie with abhorrence. And so on. Further, the selfish and sensual dispositions require regulation. These successively awaken in the course of childhood and youth. To make sure of certain purposes in the economy of human nature, they are, in most individuals, strongly developed; so that, if left to operate of themselves, they would hurry us into vice and misery. It appears to be a heaven-commissioned duty of the intellect and the moral sentiments to keep these powerful tendencies in check, and allow them only a legitimate and useful exercise. Of course, the more powerful and ready in action that the moral sentiments have become, the more influence are they likely to have over these impulses; and the more vigour that may have been given to the perception of cause and effect, the more likely are we to start back from any action of which the consequences must be hurtful. It is common to hear intellectual education spoken of as dangerous, without moral education. It is certainly incomplete without that adjunct; but we dissent entirely from any such doctrine as that intellectual education can ever be in any respect harmful. Henry Mackenzie says very beautifully that the air of Parnassus is favourable to virtue. To improve and inform the intellect, is, in our opinion, to do much for morality; how can it be otherwise, since it infallibly tends to expose error? An instructed man is at least more likely to know right from wrong; and can he, therefore, be the more likely to do wrong? But this is a digression. Moral education, then, is to be effected by the influence of good example, as tending to the formation of good habits—by precept, as an aid—by the culture of the moral sentiments—and by the regulation of the selfish and sensual dispositions. In the culture of the moral sentiments, and for the impressing of authoritative precept, no means can be more powerful than that which is supplied by the Christian religion, by which morality itself is, as it were, stamped with the seal of Deity. But this system must not consist solely of cold readings and memory-committed professions. Unless the teacher can make it a means of at once elevating the nature of the child into the regions of the pure and the beautiful, and training it to the practice of what are emphatically called the Christian virtues, it might as well be omitted from education. It must not be a system of words, but of feelings—feelings resulting in acts, and melting the whole character into the white light of heavenly goodness.

In our anxiety to describe what we conceive education ought to be, we have left no room for adverting to the means by which a good system might be carried into operation. We can neither discuss the question whether the state ought to pay for all elementary education—though our decided conviction is that it should—nor in what mode the schools of the country should be regulated and superintended. Convinced that there is no party in the realm who does not wish all that is good towards the rising generation, we should be comparatively at our ease on this latter point, if we did not fear that their unhappy mutual jealousies may prove an obstruction to the object they commonly en-

tertain. The system here, with all deference, presented to notice, is one which many must as yet be unprepared to sanction; but our object is to awaken thought, and to accustom the public to take extended views of education. We trust that, not having spoken harshly of any existing system, we shall have the benefit of the same toleration from those who do not agree with our plans. Upon such individuals as accord with us, we would impress, in solemn style, the duty of doing all that lies in their power to supersede the present every where imperfect system of education, with one approximating at least to the philosophical scheme here described. This is the Reform really required for the improvement of the condition of our country. With it all others follow for certain, because universally consented on: without it, all others are vain.

NORTHERN TRADITIONS—JOHNNY REID AND THE MERMAID.

BY HUGH MILLER.

OF all our Scottish creatures of the imagination, there were none with whom the people of Cromarty were better acquainted, than with the mermaid. Thirty years have not yet gone by since she has been seen by moonlight sitting on a stone in the sea, a little to the east of the town; and scarce a winter passed, forty years earlier, in which she was not heard singing among the rocks, or seen braiding up her long yellow tresses on the shore. According to the credulous fancy of the period, she was believed to possess, through her connection with the invisible world, the power of controlling and new-modelling, in no inconsiderable degree, the decrees of destiny in regard to human affairs. It is said, too, that, like the Proteus of classical mythology, she never exerted this power in a good direction, except when compelled to it. She avoided, in the day-time, shores frequented by man; and when disturbed by him in her retreats, escaped into her native element; but if he succeeded in seizing and overpowering her, she always purchased her release by granting him any three wishes he might form, connected with either his own fortunes or those of his friends. Her strength, however, was superior to that of most men; and if victorious in the struggle, she carried the unfortunate assailant with her into the sea.

It is now nearly a hundred and twenty years since honest John Reid, the Cromarty shipmaster, was positively the most unhappy man in the place. He was shrewd, sensible, calculating, good-humoured, in comparatively easy circumstances, and at this time in his thirtieth year. The early part of his life had been spent abroad; he had voyaged over the wide Pacific, and traded to China and both the Indies; and to such purpose—for he was quite the sort of person one would most like to have for one's great-grandfather—that in about fourteen years after sailing from Cromarty a poor ship-boy, he had returned to it with money enough to purchase a fine large sloop, with which he had engaged in the lucrative trade carrying on at this period between Holland and the northern parts of Scotland. His good luck still followed him; nor was he of the class who are ingenious in discovering imaginary misfortunes. What is more, too, he was of so cool a temperament, that when nature rendered him capable of the softer passion at all, it seemed as if she had done so by way of afterthought, and contrary to her original intention. And yet John Reid, with all his cool prudence, and his good humour and good fortune to boot, was positively one of the unhappiest men in the place—and this because he had been just paying his addresses to one of its prettiest girls.

He had first seen Helen Stuart when indulging in a solitary walk on the hill of Cromarty, shortly after his return from the Indies. Helen was fully twelve years younger than himself, slightly but elegantly formed, with small regular features, and a complexion in which the purest white was blended with the most exquisite red. Never before had the sailor seen a creature half so lovely; he thought of her all the evening after, and dreamed of her all the night. But there was no corresponding impression on the other side; the maiden merely remembered that she had met in the wood with the newly arrived shipmaster, and described him to one of her companions as a strongly built man of barely the middle size, broad shouldered and deep chested, with a set of irregular, good-humoured features, over which a tropical sun had cast its tinge of the deepest bronze. Helen was a village heiress, with a good deal of the pride of beauty in her composition, and a very little of the pride of wealth, and with what was perhaps as unfavourable to the newly formed passion of Reid as either, a romantic attachment to that most perfect man of the imagination, the *maid's husband*—a prince in disguise, or something equally fanciful.

This dangerous, though shadowy rival of the true lover, who assumes in almost every mind a new shape of

beauty, was in the present instance handsome as Helen herself, with just such a complexion and such eyes and hair; and excelling all men in fine clothes, fine speeches, and fine manners, he excelled them in parts and wealth, and courage too. What had the robust, sunburned sailor of thirty to cast into the opposite scale? Besides, Helen, though she had often thought of courtship, had never seriously thought of marriage; and thus, partly for the sake of her ideal suitor, partly through a girlish unwillingness to grapple with the realities of life, the real suitor was rejected. Grave natures, says Bacon, are ever the most constant in their attachments. Weeks and months passed away, and still there was an uneasy void in the mind of the sailor, which neither business nor amusement could fill—a something which differed from grief, without affecting him less painfully. He could think and dream of only Helen Stuart. Her image followed him into Holland, among the phlegmatic Dutchmen, who never break their hearts for the sake of a mistress, and watched beside him for many a long hour at the helm. He even saw her as he had first seen her on the hills; there were trees in the background, and the warm mellow flush of a setting sun, while in front there tripped lightly along a sylph-looking creature, with bright happy eyes, and cheeks glowing with the loveliest crimson.

He had returned from one of his voyages late in April, and had risen, when May-day arrived, ere the first peep of daylight, in the hope of again meeting with Helen among the woods of the hill. Were he but to see her, barely see her, he could be happy, he thought, for months to come; and he knew she would be gathering May-dew this morning, with all her companions, on the green slopes of Drieminary. Morning rose upon him as he sauntered eastward along the edge of the bay; the stars sunk one by one into the blue; and on reaching a piece of rocky beach that stretches along the brow of the hill, the sun rose all red and glorious out of the Firth, and flung a broad pathway of flame across the waters to the shore. The rocks, the hill, the little blue waves which came toppling in against the beach, were all tinged with the orange light of morning; and yet, from the earliness of the hour, and the secluded character of the scene, a portion of terror might well have mingled with one's quieter feelings of admiration when in the vicinity of a place so famous for the wild and the wonderful as the Dropping-Cave. But of it more anon. Darkness and solitude are twin sisters, and foster nearly the same emotions, but they failed this morning in awakening a single fear in the mind of the shipmaster, sailor as he was, and acquainted too with every story of the cave. He could think of only Helen Stuart.

An insulated pile of rock, roughened with moss and lichens, and which stands out of the beach like an old ruinous castle, surmounted by hanging bartisans and broken turrets, conceals the cave and the skerries in front of it from the traveller who approaches from the west. It screened them this morning from the view of the shipmaster, as he stepped lightly along the rough stones, full of impossible wishes and imaginings, when he heard the low melancholy notes of a song. He looked round to ascertain whether a boat might not be passing, or a shepherd seated on the hill; he could see only a huge overgrown seal that had raised its head over the waves, and seemed listening to the music with its face towards the east. On turning, however, the edge of the cliff, he saw the musician, apparently a young girl, who seemed bathing among the cliffs, and who was now sitting half on the rock, half in the water, on one of the outer skerries, opposite the cave. Her long yellow hair fell in luxuriant profusion on her snowy shoulders, and as she raised herself higher on the cliff, the sun shone on the parts below her waist with such dazzling brightness, that the sailor raised his hands to his eyes, and a shifting speck of light, like the reflection of a mirror, went dancing over the shaded roughnesses of the opposite precipice. Her face was turned towards the cave, and the notes of her song seemed at times to be answered from it in a chorus, faint and low indeed, but which could not be wholly produced by echo.

Reid was too well acquainted with the belief of the age, not to know that he looked upon the mermaid. Were he less a lover, perhaps he would have done nothing more. But, aware of her strange power over the destinies of men, he only thought that now or never was his opportunity for gaining the hand of Helen. "Would there were some of my lads here, to see fair play!" he muttered, as, creeping amid the crags, and availing himself of every brake that afforded the slightest cover, he stole towards the shelf on which the creature was seated. She turned round in the moment he had gained it. The last note of her song lengthened into a shriek; and with an expression of mingled terror and surprise, which clouded a set of the loveliest features, she attempted to fling herself into the water; but in the moment of the attempt, the brawny arms of the shipmaster were locked round her waist. Her arms clasped his shoulders in turn, and with a strength scarcely inferior to that exerted by the snake of India, when struggling with the tiger, she strove to drag him to the edge of the rock; but though his iron sinews quivered under her grasp, like the beams of his vessel when straining beneath a press of canvass, he thought of Helen Stuart, and bore her down by main force in the opposite direction. A fainter and a still fainter struggle ensued, and she then lay passive against the cliff. Never had Reid

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seen aught so beautiful—and he was convinced of it,
lover as he was—as the half-fish creature that now
lay prostrate before him.
“Man, what with me?” she said, in a tone of voice
which, though sweet as the song of a bird, had some-
thing so unnatural in it, that it made his blood run cold.
“Wishes three,” he replied, in the prescribed formula
of the demonologist, and then proceeded to state them.
His father, who, like himself, was a sailor, had been
drowned many, many years before; and the first wish
suggested to him by the circumstance was, that neither
himself nor any of his friends should perish by the
sea. The second—for he feared lest Helen, so lady-
looking a person, and an heiress to boot, might yet
find herself the wife of a poor man—was, that he
should be uninterruptedly fortunate in all his under-
takings. The third wish he never communicated to
any one except the mermaid, and yet no one ever
failed to guess it. “Quit, and have,” replied the
creature. Reid slackened his hold; and pressing her
tail against the rock until it curled to her waist, and
raising her hands, the palms pressed together, and the
edge to her face, she sprang into the sea. The spray
dashed to the sun; the white shoulders and silvery
tail gleamed for a moment through the green depths
of the water. A slight ripple splashed against the
beacon, and when it subsided, every trace of the mer-
maid had vanished. Reid wiped his brow, and as-
cending by one of the slopes of the hill towards the
well-known resorts of his townswomen—not the less
inclined to hope from the result of his strange contest
—he found Helen Stuart seated with one of her com-
panions, a common acquaintance, on the grassy knoll
over the Lover’s Leap. The charm, thought he, be-
gins to work already.

He bowed to Helen, and addressed her companion.
“The man of all the world,” said the latter, “whom
we most wished to see. Helen has been telling me
one of the strangest dreams, and it is not half an hour
yet since we both thought we were going to see it
realised; but you must assist us in reading it. She
had just fallen asleep last night, when she found her-
self on the green slope covered with primroses and
cuckoo flowers, that lies, you know, to the west of the
Dropping-Cave, and there she was employed, she
thought, as we have been this morning, in gather-
ing May-dew. But the grass and bushes seemed
dry and parched, and she had gathered only a few
drops, when, on hearing some one singing among the
rocks beside the cave, she looked that way, and saw
you sleeping on the beach, and the singer, a beauti-
ful lady, watching beside you. She turned again
to the bushes, but all was dry, and she was quite
unhappy that she could get no dew, and unhappy, too,
lest the strange lady should suffer you to sleep till
you were covered by the tide; when suddenly you
stood beside her, and began to assist her in shaking
the bushes. She looked for the lady, and saw her far
out among the skerries, floating on the water like a
white sea-gull; and as she looked and wondered, she
heard a shower of drops which you had shaken down,
tinkling against the bottom of the pitcher. And only
think of the prettiness of the fancy!—the drops were
all drops of pure gold, and filled the pitcher to the
brim. So far the dream. But this is not all. We both
passed the green primrose slope, just as the sun was
rising, and, can you believe it, heard from among the
rocks the identical song which Helen heard in her
dream. It was like nothing else I ever listened to;
and now here are you to fill our pitchers with gold,
like the genie of a fairy tale.”

“And so you have really heard music from among
the rocks?” said Reid. “Well, but I have more than
heard it—I have seen and conversed with the musici-
an; the strange unearthly lady of Helen’s dream. I
have visited every quarter of the globe, and sailed
above almost every ocean, but never saw the mermaid
before.”
“Seen the mermaid!” exclaimed Helen.
“Seen and conversed with the mermaid!” said her
companion; “heaven forbid! The last time she ap-
peared at the Dropping-Cave, was only a few days
before the terrible storm in which you lost your father.
Take care you repeat not her words—they thrive ill,
who carry tales from the other world to this.”
“But I am the creature’s master,” said the sailor,
“and need not be so wary.”
He told his story; how he had first seen the mys-
terious creature sitting in the sea, and breathing ex-
quisite music, as she combed down her long yellow
tresses; how he had stolen warily among the crags,
with a heart palpitating betwixt dread and eagerness;
and how after so fearful a struggle she had lain pas-
sive against the cliff. Helen listened with feelings of
wonder and admiration, dashed with terror; and in
returning home, though the morning was far advanced,
and the Dropping-Cave a great way below, she leaned
for support and protection on the arm of the sailor—
a freedom which no one would have remarked upon
at May-day next year, for he had ere then become her
husband.

Good luck generally follows those who strive to
secure it, and such was the case with our homespun
hero Johnny Reid. He realised by his industry what
his dreams or waking fancies had pictured as the pro-
mises of the mermaid. For nearly a century after, the
family was a rising one; but it is now extinct. Helen
for the last seventy years has been sleeping under a slab
of blue marble, within the broken walls of the Chapel of
St Regulus; her only daughter, the wife of Sir George

McKenzie of Cromarty, lies in one of the burying
grounds of Inverness, with a shield of I know not
how many quarterings over her grave; and it is not
yet twenty years since her grandson, the last of the
family, died in London, bequeathing to one of his Cr-
marty relatives several small pieces of property, and
a legacy of many thousand pounds.

POPULAR INFORMATION ON SCIENCE.

FOURTH AGES OF ANIMAL LIFE.

THE various forms of animal life, from the epoch at
which the earth became first habitable, up to a period
shortly antecedent to the establishment of the existing
order of things on its surface, have now been examined
and described in succession, as far as the researches of
fossil geology have as yet made us acquainted with
them.* A short link in the chain is all that now re-
mains to be filled up. The state of animal life, during
the period immediately preceding the last of the geo-
logical revolutions which have thrown the surface of
the globe into its present condition, is yet to be ad-
verted to; in other words, we have to notice those
animals that lived on the earth immediately before the
diluvial beds of gravel, clay, and sand, were formed,
that constitute the surface on which man and his
fellow-creatures tread. This done, the view of the
subject is completed.

Our principal knowledge of the state of animal life
at the period mentioned, is derived from the evidence
afforded by certain caves, discovered only within these
few years. Professor Buckland has the merit of having
first directed attention to these caves, and the fossil
remains which they contain. Kirkdale cave, in York-
shire, was that earliest found out and examined by the
professor. It is situated in the side of a ravine, and
its entrance is an aperture less than five feet square,
which a person enters upon his hands and knees. The
greatest length to which the cave penetrates, is from
one hundred and fifty to two hundred feet, and the
interior is of very irregular breadth and height, vary-
ing from two to seven feet, but seldom exceeding the
latter dimensions either way. The roof is studded
with pendant stalactite, or that deposit which is made
by water filtrating through limestone, and which,
when laid on the floor of a cave, is called stalagmite.
A coating of this stalagmite covers the bottom of the
Kirkdale cave; beneath this is a layer of soft mud,
about a foot in depth; and below this again, is a se-
cond coat of stalagmite, spread over the proper floor of
the cavity. Deprived of these coatings, the cave, it is
obvious, would be considerably more roomy. We have
been thus particular in describing the disposition of
the cave’s interior, for it will be seen to be a matter of
importance.

In the lower part of the mud coating, and in the
inferior layer of stalagmite, were the animal remains of
the cave chiefly found. These consisted of the bones of
no less than twenty-three species of animals; namely,
HYÆNA, Tiger, Bear, Wolf, Fox, Weasel, Elephant,
Rhinoceros, Hippopotamus, Horse, Ox, three species
of Deer, Hare, Rabbit, Water-rat, Mouse, Pigeon,
Raven, Lark, a species of Duck and Partridge. The
bones, in all these cases, were broken into angular
fragments or chips, and were all more or less decayed,
though the gelatinous matter yet remained in some of
them.

On these bones being discovered, the question natu-
rally suggested itself. How came they to be accumu-
lated into a cave, evidently of no great age, geologi-
cally speaking—into one spot—in this manner? One
mode of answering this query is, to suppose that the
animals may have retired there spontaneously to die.
Another solution of the point is, that their carcasses
may either have been drifted into it entire by the
waters of a flood, or the bones alone washed in, after
their separation from the flesh. Against both these
explanations, insuperable objections may be brought.
The cave could not have admitted the entire bodies of
the elephant or rhinoceros, living or dead; had the
bones been drifted in singly, they would have been
smoothed more or less by rolling, and would have been
mixed with gravel and rolled pebbles. Neither of
these explanations, besides, accounts for the broken and
splintered state of the bones, or for the great numbers
of teeth in comparison with other bones. Many other
objections might be adduced, but these are sufficient
to show the inefficiency of the theories mentioned to
explain the accumulation of these bones in the Kirk-
dale cave.

The explanation which Professor Buckland adopted,
is a most ingenious one, and has every appearance of
being correct. He regards the cave as having been,
during a long succession of years, inhabited as a den
by hyænas, who had dragged into its recesses the other
animal bodies, whose remains are found mixed with
their own. The number of facts brought forward in
support of this explanation by Professor Buckland, is
very great. In the first place, the habits of living
hyænas have been referred to, and it has been found
that these animals are in the habit of dragging carcasses
towards their dens—even those of camels and other
large creatures—and this from very considerable dis-
tances. It has been doubted, indeed, whether hyænas
actually munch the bones of their prey in their dens,
but recent observations go to substantiate the truth of

this. Again, the mode in which hyænas deal with
bones given to them as food, has been examined, and
the result is entirely confirmatory of Buckland’s sup-
position. We give the account of this examination in
his own words: “I have had an opportunity of seeing
a Cape hyæna at Oxford, and of observing the ani-
mal’s mode of proceeding in the destruction of bones;
the shin-bone of an ox being presented to him, he be-
gan to bite off, with his molar teeth, large fragments
from its upper extremity, and swallowed them whole,
as fast as they were broken off.” A part only of the
bone, of harder texture, was left by the hyæna, and
“the state and form of this residuary fragment are
precisely like those of similar bones at Kirkdale.” On
some of the Kirkdale bones are marks of teeth, which
marks fit exactly the teeth of the hyæna’s jaws found
in a cavern; a very strong corroboration certainly of
Buckland’s opinion. Now, the marks of teeth, on the
bones munched by the living hyæna, “entirely re-
semble the impressions we find on the bones at Kirk-
dale; the small splinters, also, of the freshly gnawed
bone, in form, and size, and manner of fracture, are
not distinguished from the fossil ones.” But the
strongest fact yet remains. In the mud and stalag-
mite of the Kirkdale cave, were found considerable
quantities of what appeared to be the refuse of animals
that live much on bones, and which is known by the
name of *Album Græcum*. On the day following that
on which Professor Buckland fed the living hyæna
with bones, “the keeper (says he) presented me with
a large quantity of *Album Græcum*, disposed in balls,
that agree entirely in size, shape, and substance, with
those found in the den at Kirkdale.” We will add to
these only one other confirmatory circumstance. On
some parts of many of the fossil bones, there appeared
a smoothness and polish, which could not result from
the action of moving water, as other portions of the
same bones were splintery and angular. Water would
have rounded the whole equally. Professor Buckland
therefore concludes, with probability, that the partial
smoothness in question must have been produced by
the repeated touch of the living hyæna’s feet and skin,
in their movements to and fro in the cave.

The extreme voracity of the hyæna accounts suffi-
ciently for the number and variety of the animals
found in its den. It is quite consistent with our
knowledge of the creature’s habits that it should have
preyed on rats and mice, in the occasional absence of
larger victims. Hyæna bones are found in the cave
in the same fractured state as those of other animals;
but this is a circumstance of no moment, as at this day
hyænas prey on the young and helpless of their own
kind, when pressed by hunger. It might be expected,
to complete the chain of proof, that hyæna skeletons
should have been found in some instances entire.
Though this was not the case as far as the Kirkdale
cave was concerned, the greater part of the bones of a
complete hyæna were actually discovered in another
bone-filled cave of the same kind.

The reader will be satisfied, we imagine, with these
evidences in support of the opinion of Buckland, that
the cave of Kirkdale in England was the den of
hyænas, and that the other bones found in it are the
relics of these creatures’ prey. Many circumstances
speak to the recentness of the time at which the cave
was so occupied. All the change that has taken place
on the cave since the hyænas inhabited it, is the forma-
tion of a layer of mud of about a foot deep. This the
eminent geologist so often referred to, is now inclined
to ascribe to the last of the many geological revolu-
tions that have been produced by violent irruptions of
water, and to which last irruption the present diluvial
matter of the earth’s surface owes the disposition it
bears. The wide extent of the geological revolution
in question, as well as all the other conclusions drawn
from the phenomena of the Kirkdale cave, have re-
ceived the amplest confirmation from the discovery of
various caves of the same kind in Britain, and also in
Germany, where bears for the most part seem to have
been the tenants of the excavations. The great cavern
of Gailenreuth, in Franconia, which seems to have
been the residence of white bears of an extinct species,
contained cart-loads of bones of nearly the same animals
as those on which the hyæna preyed. In every re-
spect the position of the fossils corresponded with
those of Kirkdale.

By far the most interesting point respecting these
caves, however, is the information they yield to us
relative to the state of animal life on the earth at the
time they were inhabited by hyænas and bears. And
this information is very striking. The greater number
of the animals whose remains are found in the caves,
belong to families which are at present the inhabitants
of tropical climates only. Hence arises the interesting
question, whether the extinct species have been adapted
to more northern latitudes, by constitutions differing
from those of the existing races, or the climate of Bri-
tain and northern Europe has been changed in tem-
perature? In a preceding article, it was mentioned
that the advocates of the first of these opinions pointed
to the long coarse hair found on the Siberian mam-
moth or elephant, as a proof that that creature had a
provision against the cold, which the tropical elephants
of the present day neither possessed nor required. But
the answer to this is, that, though the mammoth might
have provisions fitting it for Siberia, Siberia, as it is,
never could have been fit for the mammoth, unless
vegetation also was so very different formerly from
what it now is, as to permit plants to have thriven in
eternal snow. This is not rendered likely by the fact

* The last article on this subject appeared in our 300th number.

that, in these northern countries, we find the fossil remains of vegetables that now grow only under the tropics. Upon the whole, therefore, less difficulties attend the supposition, that climes now cold must have once enjoyed a higher temperature—that Britain and Germany, even at the era of the most recent of the great geological changes, or that which disposed the present diluvial beds, were in the enjoyment of a climate that allowed the tiger and the rhinoceros, the elephant and the hippopotamus, to thrive and to prowl amid their forests and wilds.

It is unnecessary to say much more on this subject. The examination of these caves has shown us, that, at a period immediately preceding the establishment of the existing order of things, the earth was densely peopled by creatures of existing families, though a few still were of extinct species. The earth, then, being now fitted for the animals associated with man, had nearly reached the point, which was the end and object, if man may say so without presumption, of all the changes that had taken place. The stages by which this end has been attained, are seen, the more clearly man is able to look into them, to teem with evidences of the wisdom of that Being, who has arranged and established all. In the words of Buckland, "In the course of our inquiry, we have found abundant proofs, both of the beginning and end of several successive systems of animal and vegetable life, each compelling us to refer its origin to the direct agency of creative interference;" and in another place, the same distinguished author, referring to geology generally, observes—"The whole course of the inquiry has shown that the physical history of our globe, in which some have seen only waste, disorder, and confusion, teems with endless examples of economy, order, and design."

ABOUT DRINKING.

The people of Great Britain and Ireland form the most drunken nation in the world. No people consume such a large quantity of intoxicating fluids. The nations which rank next to them in regard to drinking, are the Germans, the Norwegians, the Dutch, and a few others in the north of Europe. Latterly, however, the Germans have greatly improved in habits of temperance, and they are now chiefly signalled for their offensive practice of smoking. If we come to comparisons at home, we find that intemperance is much more prevalent in Scotland than England, and that the small Scotch county towns are the worst. It is chiefly the very dregs of the English community who drink spirituous liquors in the form of drams; gin, an abominable compound of vitriol, turpentine, and coarse grain whisky, is their tipple. Brandy—neat—is the coachman's solace; and in a mixed state with hot water and sugar, it forms the circulating menstruum at the tables of the middle classes. But there is a large section of the English community, who do not habitually brandy, as it is called. These are of the workman order; they drink nothing worth speaking of except porter and ale, which they meet to soak or muzz over of an evening. Perhaps the term soak should not be used, for they do not generally drink above a pint or so—threepence or fourpence worth of heavy wet, for instance—and sip only a little now and then between intervals of smoking, when they are charging a new pipe, or throwing in a remark, in a sort of half grumble, by way of keeping up the conversation. This is called being sociable of an evening, or having a bit of friendly chat, and can therefore hardly be charged under the same category as intemperance.

In Scotland, whisky, in all its forms and qualities, meets you at every corner. On every side you turn, you find a place for its disposal. Brandy, rum, gin, and so forth, are scarcely known except to those who have tolerably long purses. The universal tipple is whisky. Those who have a refined taste, pride themselves on "keeping a good article." This means that they drink fine malt whisky, which at the utmost costs eleven or twelve shillings a gallon—such whisky as would bring above a guinea per gallon in England. The inferior order of consumers use a coarse burning stuff, made of grain, which is sold for about six or seven shillings a gallon, or probably threepence a gill. The miserable and ignorant beings who use the last-mentioned kind, most commonly take it in a raw state. Some of them are contented to toss off their glass at the counter, behind a sort of shutter or screen, which stands as a shelter from the accusing gaze of passengers. But these are of a humble grade; perhaps street beggars, porters, coal carters, and such like. The quantity of ardent spirits which some of these individuals consume, is immense. We have frequently, by accidental observation, seen a female mendicant visit a whisky shop nine times in the course of a day, betwixt morning and evening, at each time drinking at least a glass, or the third of a gill of raw whisky. This series of drams could not have cost less than sixpence; and, therefore, to make no supposition of what was drunk after nightfall, this female must have spent sixpence a-day on whisky, or about nine pounds a-year; a sum which would afford

rather more than three pounds to the state in the shape of excise. This seems a great deal for a common beggar to drink, but we are convinced, from a thousand circumstances, that it is much below what is consumed daily by many individuals in a humble condition of life. We have been told of street porters—who are on the whole a respectable order of men—who seldom drink less than four or five gills in the day—that is, we should suppose, when their means will afford it; we lately heard of one who sometimes takes six gills. Of course, these quantities are not gulped down all at once, or even at twice or thrice. The whole is taken glass by glass, at intervals, when the "bawbees" drop in as payment for jobs; and when there is a fortunate haul of "white siller," the potation will go the length of a whole gill. Some will think that the Chancellor of the Exchequer should be thankful that these persons possess such insatiable cravings for liquor; but it is "not all gold which glitters;" what the Chancellor receives in one way, he spends in another—look, for one thing, at the armed force necessary to preserve order, and look at the large and expensive machinery for judicial correction. Glancing over an English provincial paper the other day, the following met our eye in a charge to a grand jury at Salford. "I am sorry, that, comparing this year with former years, there has been upon the whole a considerable increase of crime. On looking at the cause, it always leads us to the same universal one of drunkenness, which seems to be the great evil of the day; and until some alterations take place in the temperance habits of the working classes, I am afraid we must expect crime to go on." We hope that the gentleman who delivered this address has not contented himself with simply lamenting the progress of intemperance and crime, but has already looked about for the means of producing the alterations from which he anticipates such advantages to flow.

We have adverted to the number of places for the sale of whisky in Scotland. We may well call them Legion, for they are many. How such a preposterously large number should be tolerated, has always been to us a perfect mystery. In Glasgow, a few years ago, it was found that there was a public-house for every thirteen families of the whole population. There is one street in Edinburgh, in which two shops out of every three are spirit shops. That, however, is in a thickly populated and great dram-drinking quarter, and is not a fair criterion of the state of affairs. In the portions of the city occupied by the more affluent classes, there are many mean public-houses in the lower floors, which are much resorted to by female domestics, and prove of course most ruinous to their morals, and destructive of the comfort of their employers. It is also curious to observe that, wherever, in the same districts, there chances to be a pretty extensive workshop or factory, or a stable-lane, there a dram-shop is sure to rise, as if labour and intemperance were in this country inseparable.

Among the higher orders of society in Scotland, the practice of deep drinking was formerly very common. It was no unusual thing for a party of gentlemen met at dinner to sit all night, and only to disperse when they should have been rising from their beds. A story is told of a Lord of Session in Edinburgh being seen showing a guest out at his own door with a lighted candle in his hand, at eleven o'clock of a Sunday morning, when the good folks were passing to church. Sometimes, in these days, the dinner or supper party were not suffered to have their own will in departing. The door was locked by the host, who, pointing with one hand to the bottles on the table, and with the other to shake-downs in the adjacent apartment, showed what he expected from his guests. These days are luckily gone, and punchbowls have gone with them. If the people be not better than their ancestors, they have certainly a greater sense of decorum. This remark applies to both English and Scotch, for deep drinking and late sitting were half a century ago as much in vogue in the south as in the northern part of the kingdom. Mr Walker, in his "Original," mentions that some sixty or seventy years ago, certain hackney coachmen in London made a good deal of money by going with their vehicles through the streets during the night, in order to take home drunk gentlemen whom they saw staggering about, and who next day paid them liberally for their pains. All this is long since gone.

We are given to understand that there is now little drinking among the middle classes of society in the large Scotch towns, and that what drinking usages remain, are gradually disappearing from among them. When any drinking does take place, it is on a very limited scale in private houses, and this in itself forms a conspicuous alteration from what was customary in public-house carousals. The case is very different, however, as respects the same order of individuals in the small towns. In these, there is still as much intemperance in liquor as ever, and at the same time an almost universal frequentation of the public-house. Most of the loose cash, or what can be wrung from the ordinary legitimate expenditure, is spent of an evening in company, upon the long-established potations—half mutchkins of toddy. What sums of money, what resources, have been squandered, and are at this very day squandering, in this manner! Old men are dropping off from their wonted haunts, but young men are growing up to take their places in the same public-house parlours which witnessed the festivities of past generations. It

would perhaps be wrong to say that in these habitudes of intemperance, the father succeeds the son. The sons of drunkards have seldom any thing left to them wherewith to procure indulgences of any kind. It is chiefly the sons of the careful who fill up the ranks, and they seldom stop till they have dispersed all that was bequeathed to them. The bulk of the houses and small landed heritages—speak it with reverence, "the properties"—of the inhabitants of most Scotch country towns, are melted into toddy once every thirty years or thereabouts, while in some cases the transformation is effected twice within that brief period of time—such is the potent dissolving quality of whisky.

There is, however, nothing to be wondered at in these tipping habits. In the circumstances of the case, the wonder would be if they did not exist. The cause of so much intemperance is, simply, vacancy of mind produced by want of occupation. There is most likely not a particle of natural inclination in the case. All is the result of want of healthful exercise of the mind, or, in other words, harmless excitement. The nightly adjournment with a few companions to a public-house, is a sort of business, something to do, something to stir up the dormant faculties, or as Burns called it, something to "kittle up our notion;" and if that something were to be taken away, and no equivalent given in its stead, a total stagnation of the mind would ensue. Nothing would so effectually tend to eradicate tipping from the small towns, as giving the people of these towns something at once harmless and exciting to think about. What is it that has reformed the habits of the middle classes, including the respectable operatives of the large towns, such as Edinburgh and Glasgow, but the provision which they now possess for healthful mental excitement? During the early part of the day, the provision consists of professional occupation; and during the later part, it is comprised in the various resources which cultivated society, and scientific, literary, and other refining pursuits, present. The very existence of these ennobling means of recreation in large towns, throws an air of disrepute over habits of low indulgence, and thus, by both positive and negative means, they do good. We do not know of any means which may be so readily adopted for weaning the ignorant, and persons of weak resolutions, from habits of intemperance, as giving them opportunities of attending evening lectures on subjects of a useful and entertaining character. Recreations of this description afford matter for the most agreeable reflection, and what is this but advancement in moral qualifications? How opposite the tendencies produced by rumination on grovelling and sensual gratifications, to those arising from calm reflection on some glorious truth in moral or physical science! The former add to, while the latter subtract from, the sum of human abasement and suffering. Let these things be pressed unremittently on the consideration of the managers of all kinds of temperance associations, and generally on all who wish well to social improvement.

CAROLAN, THE IRISH BARD.

THE Scottish peasantry do not speak with more enthusiasm of Burns, than the Irish—that is, the Irish who speak and feel in the original language of their country—do of Carolan, a personage of whom nineteenth of our readers, probably, never heard, but whose poetical and musical genius was nevertheless of a very high order. He flourished at the beginning of the eighteenth century, and composed a vast number of lyrics in his native tongue, which he used to sing to the harp. It is unfortunately beyond our power to convey to a British mind an adequate idea of his poetical powers; but we may give some particulars respecting him, which, we think, will be read with interest, as showing genius under very peculiar circumstances.

Carolan, or, to give him his full original name, Turloch O'Carolan, was born in the year 1670, at Newton, near the village of Nodder, in the county of Westmeath. He boasted of ancient Milesian descent; but the land on which he was born had been wrested from his ancestors by the family of the Nugents, on their arrival in Ireland, with King Henry II. His father was a poor farmer, the humble proprietor of a few acres, which afforded him a scanty subsistence. According to one account, somewhat too marvellous, perhaps, to be strictly true, Carolan evinced no marks of talent till his eighteenth year, when he entirely lost his eyesight by small-pox. The thoughts which had hitherto wandered over the external world, were then turned inwards, and he became pensive and meditative. Near his father's house, there was an artificial mount, called in Ireland a *mote* or *rath*, one of the numerous remains of early fortifications still scattered over the island, or perhaps a seat of justice in primeval times. On this place, which the country people in latter times supposed to contain a fairy palace, the poor boy had been accustomed, while possessed of eyesight, to play with his companions. Now, when unable to join in their sports, he used to cause himself to be led out to it, and would there stretch himself for hours under the genial rays of the sun. While thus solitarily reposing, he would be observed to start up suddenly, as if under the influence of some access of enthusiasm. His friends could assign no better explanation for his conduct, than that he was visited occasionally with preternatural visions, through the influence of the fairy queen. In one of these raptures

he called hastily to his companions to lead him home; and when he reached the house, he sat down immediately to his harp, and in a little time played and sang the air and words of a sweet little song addressed to Bridget Cruise, who had already become the object of his tenderest regards. So sudden is said to have been this visit of the muses, and so captivating was its product, that the people firmly believed him to have been at that moment gifted with poetic and musical power by the fairies; and they still keep in remembrance the spot where he desired, on this occasion, to be led home.

A memoir, less striking, but more probable, states that Carolan lost his eyesight at an earlier period of life, and that he endured the bereavement with cheerfulness, saying, "My eyes are transplanted into my ears." It also states that his musical genius was soon discovered, and procured him many friends, who determined to aid its cultivation; and at the age of twelve, a master was engaged to instruct him on the harp. "His diligence in the regular modes of instruction," says this memoir, "was not great; yet his harp was rarely unstrung; his intuitive genius assisting him in composition, whilst his fingers wandered amongst the strings, in search of melody." His love for Bridget Cruise not being successful, he married Mary Maguire, of the county of Fermanagh, who proved proud and extravagant, but never lost his affections. On entering the connubial state, he fixed his residence on a small farm near Moshill, in the county of Leitrim. Here he built a small house, in which he practised hospitality on a scale more suited to his mind than to his means; so that, in no long time, he was thrown nearly destitute upon the world.

The trade of the wandering minstrel, or bard, had long ceased in Ireland, but the forms of society which it suited had not altogether been superseded. The Irish gentry, and many beneath that rank, had still leisure to be amused by, and liberality to reward, the talents of the musician and the poet. Carolan was eminently both. His songs were already widely famed. His manners and conversation were also of a pleasing character. He therefore found no difficulty in commencing the erratic life which he persevered in to the close of his days. It must not be supposed that he appeared as an ordinary mendicant. He was invited as a friend to live with those who were pleased to patronise him; and in general there was a competition among the gentry of Connaught for the honour of entertaining him. It is recorded that messengers would sometimes be in pursuit of him for several days from place to place, to obtain the honour of a visit from the blind harper. In many instances he signified his gratitude by composing a song in honour of his host, or of some interesting member of the family. He is said to have, in all, composed about two hundred airs, to the most of which he gave verses. His compositions have all the wild grace and pathos which characterise Celtic music and poetry, and which shine so peculiarly in the melodies of Ireland.

Notwithstanding the desirableness of his society, it has been mentioned, that once, when he was on a visit at Lord Mayo's house in the country, his lordship, having also as a guest the eminent Italian musician Geminiani, was so much occupied in doing honour to that accomplished performer, that he quite overlooked Carolan. The native bard complaining of this neglect, his lordship said, "When you play in as masterly a manner as he does, you shall not be overlooked." Carolan immediately wagered with the musician, that, though he was almost a total stranger to Italian music, he would follow him in any piece he might play; and that he would himself afterwards play a voluntary, in which the Italian should not follow him. The proposal was acceded to, and Carolan was victorious.

It appears, that, much as Carolan's company was generally desired, he was not welcome in any house beyond a reasonable period. Being pressed, on one occasion, by a hospitable friend, to prolong his stay, he answered in a stanza which has been thus translated:—

If to a friend's house thou should'st e'er repair,
Pause and take heed of lingering idly there:
Thou may'st be welcome, but 'tis past a doubt,
Long visits soon will wear the welcome out.

It is related that an Italian music-master, who had settled in Dublin, hearing much of the musical genius of Carolan, resolved to put it to the severest test he could devise. He singled out an excellent piece of Italian music, which he mutilated here and there, but in such a manner that none, he thought, but the most skillful judges, could detect the alterations. Carolan, unconscious that he was subjected to a trial, listened with the deepest attention to the performance, and at the conclusion said it was an admirable piece of music; but, to the astonishment of all present, added, in a humorous tone, in his own language, "*Tu se air chois air bucaigh*," as much as to say, "How oddly it limps here and there!" He was desired to rectify the errors, if he could; and the Italian no sooner saw the amendments, than he declared that Carolan had been by no means overrated by his countrymen, for none but a musical genius of the first order could have so nearly restored the air to its original perfection.

Carolan was so unfortunate as to contract, in early life, a love of whisky, which greatly increased as he advanced in years. In his latter days he never composed without a bottle by his side, being of opinion that it was necessary to stimulate or awake his powers. Having injured his health by this indulgence, he was

told by a physician, that, if he did not abandon it, he could not live much longer. He obeyed with reluctance, and made a resolution that he would never again allow whisky to pass his lips. Habits, however, whether good or bad, enter into our nature, and a sudden cessation of them is like tearing away a part of ourselves. For several weeks Carolan seemed a totally changed being. His wonted spirits forsook him. He lost all relish for society. His harp lay in a nook of his mansion, neglected and unstrung. He wandered about in a state of abstraction and melancholy, pitiable to behold. It is related, that, one day, when in this state, passing a grocer's door in the town of Boyle, county of Roscommon, he could not resist the temptation to step in. "My dear friend," said he to the lad behind the counter, "you see I am a man of constancy. For six long weeks have I refrained from whisky; was there ever so great an instance of self-denial? But a thought strikes me, and surely you will not be cruel enough to refuse one gratification which I shall earnestly solicit. Bring hither a measure of my favourite liquor, which I shall smell to, but indeed shall not taste." The lad indulged him on that condition, and the poor bard was as good as his word. The smell, however, was sufficient to rouse his dormant energies; his countenance brightened up; and he pronounced, over the forbidden cup, a soliloquy of the most animated and affecting eloquence. Not long after, he once more gave way to actual indulgence in whisky, and becoming in some degree restored to his ordinary condition, he regained his poetical and musical powers. His well-known and much admired song, *Carolan's* (sometimes called *Stafford's*) *Receipt*, was the first effusion of his revived muse. He commenced the words, and began to modulate the air in the evening at Boyle, and before the following morning, he sang and played this noble offspring of his imagination in Mr Stafford's parlour at Elphin. Serviceable, nevertheless, as whisky was to him on this occasion, it would have obviously been better for the poor poet if he had never so far vitiated his constitution, as to make indulgence in that liquor in any degree necessary to him.

In 1733, when advanced to old age, Carolan lost his beloved wife, and the event was attended with that extreme grief which belongs to a nature like his. The monody he composed on this occasion is the only one of his compositions which we can give in a translated form; but, while we do so, we must warn the reader against supposing that Celtic poetry can ever be transferred to another tongue with any thing like its original effect. The present translation was the performance of a young lady.

Were mine the choice of intellectual fame,
Of selfish song and eloquence divine,
Painting's sweet power, Philosophy's pure flame,
And Homer's lyre and Osian's harp were mine;
The splendid arts of Erin, Greece, and Rome,
In Mary lost, would lose their wonted grace,
All would I give to snatch her from the tomb,
Again to fold her in my fond embrace.
Desponding, sick, exhausted with my grief,
While the founts of sorrow cease to flow,
In vain!—I rest not—sleep brings no relief;
Cheerless, companionless, I wake to woe.
Nor birth nor beauty shall allanure,
Nor fortune win me to another bride:
Alone I'll wander, and alone endure,
Till death restore me to my dear one's side.
Once, every thought and every scene was gay,
Friends, mirth, and music, all my hours employ'd—
Now doomed to mourn my last sad years away—
My life a solitude, my heart a void!
Alas, the change!—to change again no more—
For every comfort is with Mary fled;
And ceaseless anguish shall her loss deplore,
Till age and sorrow join me with the dead.
Adieu, each gift of nature and of art,
That erst adorned me in life's early prime!
The cloudless temper, and the social heart!
The soul ethereal, and the flights sublime!
Thy loss, my Mary, chased them from my breast,
Thy sweetest cheer, thy judgment's aid no more!—
The Muse deserts a heart with grief oppress'd,
And lost is every joy that charmed before.

Carolan did not long survive a calamity which, at his age, few can bear with fortitude. But, if a jest might be indulged on so mournful a subject, it might be said that his end was like that of his countryman

—Lord Mount-coffeehouse, the Irish peer,
Who killed himself for love, with wine, last year.

The inordinate draughts of liquor which he took after his wife's death, brought on a lingering illness, the crisis of which arrived while he was living at the house of his friend, Mrs M'Dermot, of Alderford, in the county of Roscommon. Feeling his end approaching, he called for his harp, the less perishable partner of his bosom, and played his well-known *Farewell to Music*, in a strain of tenderness which drew tears from all present. It has also been related, that, at this melancholy moment, he called for a cup of his favourite beverage, which, after many vain remonstrances from his friends, was brought. The dying bard attempted to drink, but could not. He said it would at least have been hard if two such friends as he and the cup should part without kissing—gave away the liquor, and expired. Carolan died in the month of March 1738, when he had attained his sixty-eighth year. He was interred in the parish churchyard of Kilonan, in the diocese of Ardagh, his funeral being attended by sixty clergymen of different denominations, a number of gentlemen from the neighbouring counties, and a vast concourse of country people, who, rude as they were, had often enjoyed the strains of their national bard. His friend O'Connor, many

years after, when his own end was approaching, paid a visit of sentiment to the grave of Carolan, which he found covered with a heap of stones. As often happens in Irish burial-grounds, the skull of the bard had been disinterred, and left amongst other skulls above ground. "I found it," says O'Connor, "in a niche near the grave, perforated a little in the forehead, that it might be known by that mark." M'Cabe composed an elegy on his friend, or rather an unrestrained effusion of grief, which has been presented in the following form by Mr Furlong, in his translation of the works of Carolan:—

Woe is my portion! unrelenting woe!
Idly and wildly in my grief I rave.
Thy song, my Turloch, shall be sung no more—
Through festive halls no more thy strains shall flow:
The thrilling music of thy harp is o'er—
The hand that waked it moulders in the grave.
I start at dawn—I mark the country's gloom—
O'er the green hills a heavy cloud appears—
Aid me, kind heaven, to bear my bitter doom,
To check my murmurs and restrain my tears.
Oh, gracious God! how lonely are my days,
At night sleep comes not to those wearied eyes,
Nor beams one hope my sinking heart to raise—
In Turloch's grave each hope that cheered me lies.
Oh, ye blessed spirits, dwelling with your God,
Hymning his praise as ages roll along,
Receive my Turloch in your bright abode,
And bid him aid you in your sacred song.

This account of Carolan, as descriptive of a genuine poet and musician who rose in an untutored nation, and, without education, employed his faculties to the delight of all who could understand him, will not, we hope, be without interest. When we know that the Celtic Irish produced a Carolan so recently, we can no longer wonder that the common people in various countries possess bodies of vernacular poetry, in the shape of ballads and songs, capable of commanding the admiration of the educated and refined. Unrecorded Carolans must have been, in general, the authors of those compositions—men who sprang up in the night of our literary history, and flowered and died before it was yet dawn.

SIGNS.

HUMAN nature, its necessities, and all its more essential circumstances, experience no change in the course of ages. It is not therefore wonderful that the ancient Romans had their attention drawn to certain shops by the very same expedients which still exist, namely, by the exhibition either of written inscriptions over doors (sometimes on pillars in front), or of emblematical devices. The bush was the sign of the liquor which, when good, needs it not, in ancient Rome, as well as in modern Britain. There is a shop in Pompeii bearing the chequers in front, the same sign which still denotes a public-house. Other houses in that ancient city have stones fixed over the doors, containing emblems of particular trades in relief. And similar stones are spoken of by ancient authors as containing the names of the articles dealt in, and bearing the appropriate appellation of *Venality*. "*Ad bubula capita*," at the bull's head, is an expression used by a Roman author; and the shield is spoken of by Quintilian as a common sign for the taverns around the Forum. It is more than probable that the like customs prevailed in other parts of the ancient world.

The use of signs is alluded to in the earliest ages of our own history. Matthew Paris, who wrote in the twelfth century, says that foresters were noted for setting up alehouses; and hence, says Mr Foshrope, the familiar sign of the Green Man. The Bush is believed, however, to have been the earliest sign used in connection with public-houses in Britain. It is said to have been put up on the windward side of the door, partly as a protection from the blast. It is easy to conceive that, upon a wayside alehouse, it must have been observable to the traveller from a great distance, particularly if the sense was at all sharpened, as often happens, by the activity of his Alimintiveness; and, consequently, it must have been a cheering and much prized emblem. Probably the next most ancient class of existing signs was that which is believed to have arisen in chivalric times, and to have originally had a heraldic meaning. Such are the Golden Griffin, the Green Lion, the Black Swan, and the Blue Boar, which were nothing more than a griffin or, a lion *vert*, a swan *sable*, and a boar *azure*, being doubtless the armorial bearings of certain persons of distinction, under whose protection, or on whose land, the houses were erected. Servants of noble persons, setting up houses of entertainment, would be apt, moreover, as they are at this day, to put up the arms of their former masters as their signs. "The same system," an acute writer has remarked, "still prevails in every part of the kingdom; and an attentive traveller, who is conversant with heraldry, may know what families are the principal proprietors of the estates over which he passes, without asking the question. Thus, in North Wales, the Upright Hand, and the Eagles, will inform him whether he is upon the territories of the Myddletons or the Wynnes. The Eagle and Child, commonly called in Lancashire the Bird and Baby, serves in like manner to point out the estates of the Earl of Derby, who bears that device for his crest." Originally, perhaps, signs of this class would be properly blazoned; but, on being repainted in after times, when the sentiment under which they

* Foshrope's Encyclopedia of Antiquities, i. 62, 446.

† Looker-on, a periodical paper published in 1794.

were raised had passed away or waxed dim, the heraldic niceties would be omitted by a careless or ignorant painter. Still some of the heraldic peculiarities are preserved in certain instances, as the White Hart with a gold chain, which was the cognisance of King Richard II., and the White Swan with a duke's coronet round its neck, which was that of Henry IV.

Heraldic signs were probably the means of setting a fashion for those animal devices which exist in such great numbers to this day. It is easy to imagine how the Red Lion, originally set up as the arms of the kingdom of Scotland, might suggest, in a rural district, the Black Bull, which, though nobody's arms, was a well-known object, and likely to be a favourite one with the honest rustics frequenting the house. The Blue Boar, which was the cognisance of Richard III., might in like manner give the hint for those numberless Hogs in Armour which once flourished throughout merry England. Fancy would come readily to suggest new devices, appropriate or inappropriate; and when once the Hen and Chickens, or the Bay Horse, or the Dun Cow, had been fixed upon an inn which experienced prosperity, the repetition of the same devices upon other houses would be sure to take place. With regard to such signs as the Swinging Sheep over the doors of clothiers, they are too obviously called for by the nature of the profession to occasion any difficulty in accounting for their origin.

Some signs are allied in an interesting manner to history and to poetry. Chaucer, in his *Canterbury Tales*, describes the pilgrims as setting out from the *Tavern* in Southwark. The sign of this ancient house was a herald's coat, or tabard; in time, the sign was destroyed, and the nature of the object which it had represented forgotten. On being repainted, therefore, in a later age, it is not surprising that a *talbot*, a kind of spotted dog with hanging ears, was put up instead, through a misapprehension of the meaning of the original word. One of our early English princes, having been born at Boulogne in France, was distinguished by the appellation of Henry of Boulogne. One Roger du Bourg, who had been many times in France, took a house just within the wall of the city of London, near Aldersgate, and, in compliment to this prince, put up the sign of the *Mouth or Harbour of Boulogne*, which was called the *Boulogne-Mouth*, as we call the harbours on our coast Portsmouth and Plymouth. A rival in the neighbourhood afterwards put up a sign which he thought might easily be confounded with that of honest Roger, namely, *Boulogne-Gate*. In latter times, when the names of these houses had been corrupted in popular speech, and the original devices forgotten, the one bore a Bull and Gate, and the other a Bull standing beside an enormous pair of lips designed to represent a Mouth. The figure which the Boar's Head of East Cheap makes in our literature, need scarcely be adverted to: this device, carved on stone, still exists at the spot, though the house was destroyed in the Great Fire of 1666. The *Bell and Sarsage*, in Ludgate Hill, would be liable to classification among the literary signs, if the Spectator[†] be right in deriving its origin from *La Belle Savage*, a character in an old French romance; but we suspect that there is more likelihood in the theory[‡] which makes out this sign to be an union of two signs, a *Savage* and a *Bell*, one of them having been brought by a landlord from some former house. Some of the historical class of signs record circumstances which might have otherwise been forgotten. "I remember," says a writer already quoted, "to have seen, at Sherston in Wiltshire, a sign called the *Rattlebones*: upon making inquiry into the signification of so obscure a name, which was not at all explained by a half-obliterated painting on the sign-post, I learned that it was designed to commemorate a British hero who, in fighting against the Danes, received a dreadful wound in the abdomen, and who, in this critical situation, by holding a tile against the wound, preserved his own life, till he found means to take away that of his enemy. The Rose and Crown still reminds us of the badges of the houses of York and Lancaster. The *William of Walsworth*, represented in the act of arresting Wat Tyler, is very properly chosen as a sign at the place where he took his name. The Restoration of Charles II. introduced among us the common sign of the *Royal Oak*; and to the house of Hanover, we owe the troops of White Horses which pranced upon the signs of our Whig inn-keepers. I suspect that the *Hole in the Wall* alludes to an obscure historical fact."^{||}

England is remarkable for a class of signs, generally connected with public-houses, in which the most incongruous objects are brought together. Such are the *Cat and Bagpipes*, the *Fox and Seven Stars*, the *Bell and Neat's Tongue*, the *Lamb and Dolphin*, the *Hare and Three Nuns*, the *Goose and Gridiron*, and numberless others equally absurd. Some of these associations may be the result of mistakes in repainting, in consequence of the corrupt pronunciation of the original words. Thus the *Cat and Wheel* is supposed to have been a corruption of the *Catherine Wheel*, a well-known idea in saintish history, and often represented in Gothic architecture. The *Hope and Mitre* near the Temple (latterly the *Mitre* only) was also a corruption from the *Hoop and Mitre*, many signs having formerly been fixed upon a hoop; thus the *Crown and Hoop*, the *Angel and Hoop*, and the *Cock and Hoop*, which last existed forty years ago, if not

still, painted on a sign-board in Holborn, and whence, perhaps, the phrase *Cock-a-hoop*. The Spectator accounts for many of the odd associations, by referring to the custom which young tradesmen had, in his time, when setting up, of adding to their own sign that of the master under whom they had served, "as a husband, after marriage, gives a place to his mistress's arms in his own coat." It is also probable that many of these droll conjunctions were the result of whim, or designed to serve the purpose of Dick Tinto's first effort in sign-painting, namely, to aid the ale in putting customers in good humour.

"A royal progress," says an authority already quoted, "produces a number of new kings' heads: on these occasions the painters work faster than the horses travel; and I have known his majesty's nose and chin get the start of him by a full quarter of a mile. Biographical signs frequently occur in the cities of London and Westminster; and they are generally placed with due regard to the residence or place of resort of the persons whom they represent—as the *Essex Head*, the *Sir John Falstaff*, the *Sir Paul Pindar*, the *Whittington* and his *Cat*, and many more of the same kind; a practice that will enable our English biographers to decide between contending cities, in naming the birthplace of an illustrious character.

The head of Sir Walter Raleigh very properly overlooks the door of a dealer in tobacco, as we owe the introduction of the plant to that illustrious admiral. [It seems also proper that these tradesmen should put up the sign of the Scottish Highlander, when we consider how addicted our northern countrymen are to the use of snuff.] Many tradesmen are contented with the representation of the article in which they deal; and this would be perfectly unexceptionable, were it not that the mercantile principle of turning every thing to money had induced them to cover their signs with gold. Every object is seen by them through this jaundiced medium; and we have golden boots, golden periwigs, golden razors, golden hams, golden sugar-loaves, and golden fish.

The Bee-hive, as emblematical of industry, might be adopted by any trade; but I observe it is most frequently used by the linen-draper. The Adam and Eve, too, is a favourite with them, being intended to exhibit the contrast between the vegetable drapery of our first ancestors, and the varied decorations of a modern drawing-room. We should be at a loss to guess at the meaning of the *Leathern Doublet*, at a great iron foundry in the Borough, were we not informed that it was placed there by the first institutor of the manufacture, who, from a very humble beginning, rose to distinguished opulence, as a representation of the identical doublet which he wore when he first came up to the metropolis. The origin and meaning of the barber's pole has afforded also a great field for conjecture: it is generally, however, supposed to allude to the joint occupation which they formerly professed; and its twisted ornament has been thought to represent the fillet which they used in bleeding.

Among signs distinguished by their singularity, may be reckoned the *Tumble-down-Dick*, in the Borough; the *Two Sneezing Cats*, in Houndsditch; and the *Four Winds*. The *Bag of Nails*, at Pimlico, formerly called the *Devil and Bag of Nails*, has been supposed to have been a representation of Pan and the Bacchanalians. I have seen a book, however, wherein it is called the *Blackamoor* and the *Wool-pack*, alias the *Devil and Bag of Nails*. The *Labour-in-vain*, or the *Devil in a Tub*, at Canterbury, alludes to the old fable of washing the Blackamoor white. The celebrated *Devil Tavern*, near Temple Bar, now no more, was an instance of a remarkable misnomer; the sign, properly speaking, was that of St Dunstan, the patron of the neighbouring church, and represented him in the act of performing that signal exploit of pulling the devil by the nose with a huge pair of tongs. The solemn mystical sign of the *World's End* is variously adumbrated. Sometimes the emblem is a man and a woman walking arm-in-arm, with the following lines underneath:

I'll go with my friend
To the world's end.

Sometimes it is the figure of a globe on fire, as at Chelsea. The various signs of the Salutation exhibit divers specimens of dress and manners, according to their dates. Sometimes we behold two fine gentlemen of the last century, equipped *en cavalier*, and exchanging most courteous salutes, to the effect of which their horses conspire by their caperings and curvettings. Sometimes two antiquated beaux, with long buckramed accoutrements, and flowing perukes, joining hands, and bowing almost to the ground.

The local history which signs afford us is not to be despised. The *Mitre* at Lambeth, and the *Hop-pole* at Worcester, are specimens of this sort. Bishop Blaise, the patron of the wool-combers, adorns a sign in most towns which have any connection with the woollen manufacture. The *Dog and Bear*, in the Porrough, perpetuates the memory of the Bear-Garden there; and Simon the Tanner, as I have said before, justly holds a place among the brethren of that mystery at Bermondsey.

It is pleasant enough to remark the contests about the point of originality between neighbouring signs of the same description. Some years ago, the disputes ran very high between the *Magpies* on the Windsor road; and the pride of antiquity had nearly carried back their claims to the Ark itself. We had accord-

ingly the *Magpie*, the *Old Magpie*, and the *Old Original Magpie*.

The last class of signs we shall advert to are the witty ones. About a century ago, in a village near London, there existed a sign with two sides: on one was painted a man, quite naked, with the motto, "I am the man who went to law and lost my cause;" on the other was a man in tatters, with the inscription, "I am the man who went to law and got my cause." This was very fair. The *Struggler* is an amusing fancy: it represents a man up to the armpits in a globe, with his feet sticking out below, as a sort of realisation of the idea of a man struggling with the world. There is some art shown in the selection of this sign, for those given to tripping are usually in such circumstances that the emblem has a strong appeal to their sympathies. "The best drink under the *Sun*," and "Search all the town over, and you'll find good ale at the *Last*," are old jokes; but then good drink makes any joke look new. Sometimes the animal painted on the sign is made to speak out in favour of the house: as

I am a Fox, you plainly see;
There is no harm can come of me:
My master he has placed me here,
To let you know he sells good beer.

Or, in the form of an apothegm, thus:

As the *Swan* doth love the water clear,
So man doth love good ale and beer.

Near Oxford, some years ago, there appeared the following, probably the production of some scholar's wit:

Fine Purl rare O,
Fit for a hero.
If not in haste,
Step in and taste.

We are told in the *Craftsman*, published a hundred years ago, that the tavern-keepers of that day hung out their principles upon their sign-posts. He instances a public-house on the road from London to Greenwich, bearing a corpulent man straddling on two hog-heads, with the significant words "Stand fast, Sir Robert—" meaning, of course, Walpole, with a reference to the Excise Laws. The same writer tells the following story. "I am not antiquary enough," says he, "to account how the Bell originally happened to have this venerable motto inscribed upon it, 'Fear God and Honour the King:' but, it being grown trite, a jovial inn-keeper, a great lover of poetry, desired a reverend and facetious divine, his customer, to turn the same motto into verse. The man had but little room on his sign; and yet, being postmaster, insisted on having his loyalty fully expressed; so that the worthy clergyman was obliged to leave out the latter part of the motto, and happily executed the other part in the following beautiful tetrastrich:

Let the King
Live long!
Ding ding,
Ding dong."

Beyond this it is impossible to go; and we therefore take leave of the subject.

THE COURTS AT WESTMINSTER.

MR GRANT, the author of "Random Recollections of the House of Commons," and other works, including the amusing periodical now issuing from the press, entitled "Sketches in London," has just produced another work on the apparently inexhaustible subject of the metropolis. The title of this fresh production is "The Bench and the Bar" (2 vols. Colburn, London), in which descriptions of the different courts of Westminster are mingled with biographic and characteristic sketches of the chief counsel and judges. As very little is popularly known of the supreme courts in England, we quote the following account of them, in an abridged form, and refer the reader to the work itself for much additional interesting information on the subject.

"The Courts of Law, like the Houses of Parliament, are at Westminster. They are in the immediate neighbourhood of Westminster Abbey, and communicated with the old House of Commons. The only entrance is now at the east end of Westminster Hall, a place which, since its recent fitting up with so much taste, has become a favourite place of promenade for the gentlemen of the long robe, and for strangers who have business at either of the courts.

The courts are eight in number. They are, taking them according to their respective localities as you enter Westminster Hall, the King's Bench, the Bail Court, the Court of Exchequer, the Court of Exchequer Chamber, the Court of Common Pleas, the Vice-Chancellor's Court, the Court of Chancery, and the Rolls Court. The Bench, the Bail Court, and Common Pleas, are several courts of common law. The Exchequer is both a court of common law and a court of equity. The others are essentially courts of equity, though also possessing the functions of courts of law.

The King's Bench is the supreme court of common law throughout the kingdom. It derives its name from the circumstance of the sovereign having been in former times, and being still assumed to be, in the habit of sitting in it along with the judges. Some historians tell us that Henry III. repeatedly sat in the King's Bench during the proceedings in important cases. It is added, that he sat on an elevated bench, the judges being seated on a lower one at his feet. Other historians express doubts as to this monarch having attended in person in the King's Bench. Be-

[†] *Gentleman's Magazine*, 1770.

[‡] No. 28.

^{||} *Looker on*.

^{||} *Looker on*.

the fact as it may, it is established beyond all question that Edward IV. sat there three consecutive days in the second year of his reign.

By one of those fictions so numerous in the English law, the sovereign is still, as just stated, supposed to be present during the sittings of the King's Bench. The writs which are issued by the court state that the case is to be heard 'before the king himself.' As this court, as before mentioned, derives its name from the assumed presence of the king during its proceedings, it changes its name to that of the Queen's Bench during the ascendancy of a female.

I have already said that this is the supreme court of common law. Its jurisdiction is universal. A case may be removed to it, by writ of *certiorari*, from any part of England; or it can put an end to the proceedings in any other court, in the most arbitrary or summary manner. It has a sovereign authority over all inferior courts, and superintends all civil corporations throughout the kingdom. It enforces the performance of their duties on magistrates, in those cases where the law provides no specific remedy. It can bail parties illegally committed to prison, either by the sovereign and council, or by either House of Parliament; nay, so great are its powers, that it may, if it please (and there are instances on record in which it has done so), bail persons who have been imprisoned according to the most obvious letter and spirit of the law.

It has a special jurisdiction extending not only to all capital offences, but to misdemeanours of every kind of a public nature where the tendency is to a breach of the peace or to the oppression of individuals or bodies of persons. It also possesses the discretionary power of inflicting summary punishment in any way that it shall think fit—whether by fine, or imprisonment, or other 'infamous punishment'—as the clause conferring this power is worded. Nor does its authority rest even here. It has the prerogative of making use of any prison in the kingdom, for the purpose of carrying its views of punishment into effect; so that, in point of fact, any prison in the country is as much its prison as that which goes by its name, and is ostensibly its prison.

The Court of King's Bench is divided into two sides, the crown side and the plea side. On the crown side all criminal causes are tried, from high treason down to the most trifling breach of the peace. In criminal matters the jurisdiction of the court is so great, that even an act of Parliament appointing that all offences of a certain class shall be tried before certain judges, does not deprive the King's Bench of its right to interfere, and to take the direction of the matter into its own hands; unless, indeed, such act of Parliament shall specifically denude it of that jurisdiction. On the plea side are tried all actions of trespass, forgery of deeds, conspiracy, cases of fraud, &c. In such cases, the actions are called civil; the remedy sought to be obtained being a civil one, though the offences are, in point of fact, of a criminal nature. The number of cases of this class which come before this court is very great.

In connection with the Court of King's Bench there is the Bail Court. It adjoins the other, and is presided over by one of the puisne judges, by rotation, or by some private arrangement amongst themselves. The Bail Court is to the King's Bench what a chapel of ease is to a church. It assists in disposing of the business which has accumulated in the larger court. It chiefly, however, confines itself to the less important description of business.

The Court of Exchequer is the next court to that of the King's Bench in locality, though inferior in point of importance to the Court of Common Pleas. Its chief purpose is, to decide on all matters affecting the rights and revenues of the crown, though many other causes of a different nature have of late been tried in it. This has been done by parties availing themselves of certain legal fictions which exist. For example, the law recognises the right of any plaintiff to assume that he is the 'king's minister,' or debtor, and that by the defendant's refusing to pay him the debt he owes him, or having in any way committed an injury, he (the plaintiff) is less able to discharge the debt he owes his sovereign. By this fiction a jurisdiction is assumed by this court over all the private matters between individuals, though neither the plaintiff nor defendant owes a farthing to the king. By means of these fictions, taken in conjunction with the implied provisions of an act passed a few years since for establishing a uniformity of process, actions, in some cases of a strictly personal nature, have been recently brought before this court. In all cases where the sovereign's revenue is affected, the Exchequer is the only court where the question can be tried; and its jurisdiction is exclusive, even in personal cases, where the public revenue is concerned.

The Court of Exchequer sustains the double functions of a court of common law and a court of equity. The law side of the court is presided over by Lord Abinger, the Lord Chief Baron, Sir J. Gurney, Sir William Bolland, Sir James Parke, and Sir Edward Hall Alderson. The equity side is in the Exchequer Chamber. It is always supposed that the Lord Treasurer, the Chancellor of the Exchequer, the Lord Chief Baron, and three puisne barons, are present, though, in many cases, none but the Lord Chief Baron is actually so. Formerly there used to be a good deal of business done in the equity side of the Court of Exchequer, a large portion of which consisted of the suits of the clergy for the recovery of their tithes. Of late, however, the business has greatly diminished.

The Court of Exchequer Chamber sits in the same place as the equity side of the Court of Exchequer. It is a court of appeal for rectifying the errors of the other courts of law. This court always nominally consists of

the judges of the three courts of common law, and occasionally of the Lord Chancellor also. It is usual, however, for the Lord Chief Baron to hear cases alone. This court sits only two days during each term.

The Court of Common Pleas is an institution, regarding the antiquity of which a diversity of opinion prevails. The purpose principally contemplated by its original institution, was the hearing of all civil actions between subject and subject; but in process of time its jurisdiction began, and still continues, to embrace personal and mixed actions. Over mixed actions, excepting in actions of ejectment, it has an exclusive jurisdiction. The jurisdiction of this court is general. It embraces the whole of England. From the decisions of this court, an appeal lies to the Court of King's Bench. The right of such appeal, however, is seldom exercised by the losing party.

Such are the courts of law. The judges in all these courts, being twelve in number, are what are called the twelve judges of England, to whose decision all difficult matters of importance are referred. The law courts sit about eight months in the year. They have four terms, or four divisions of the year. During term time, actions of a certain nature, involving points of law, are tried by the judges alone; and out of term time, issues bearing on questions of fact are tried, with the assistance of either a special or a common jury. The defendant has always the right of deciding whether the question before the court shall be tried by a special or a common jury.

Independently of their duties at Westminster, the judges of the courts of law have to preside at the country assizes. Going these circuits, as the technical phrase is, subjects each of them to an expense varying from two hundred and fifty to three hundred pounds per annum.

At certain periods of the year, which vary according to the exigencies of the business before the court, one of the judges sits in what are called chambers, where business of inferior importance is disposed of; and for a few weeks in the course of the year, the Courts of King's Bench and Common Pleas sit at Guildhall.

So much for the courts of law. I come now to speak of the Courts of Equity; but a word or two first, explanatory of the distinction between a court of law and a court of equity. The technical definition of the difference is, that a court of law has jurisdiction over legal rights and legal defences; while a court of equity has jurisdiction over equitable rights, or, in other words, has the power of deciding as exclusively according to what may be deemed the strict justice of the case, as if there were no court of law in existence. A court of equity can compel the discovery of facts; a court of law cannot. A court of equity usually gives other relief along with damages; a court of law can only award damages for the injury done.

The courts of equity are the Court of Chancery, the Vice-Chancellor's Court, and the Rolls' Court. Taking these courts, as I have hitherto done, according to their respective localities as we enter Westminster Hall, the Vice-Chancellor's Court is the next of which I should have to speak. As it, however, is only a branch of the Chancery Court, the few observations I shall have to make on it, will come with greater propriety after speaking of the parent institution.

The Court of Chancery is the highest court of judicature in the kingdom, next to the House of Lords. It is established for the purpose of moderating the severity, and rectifying the errors, of the other courts. It is essentially a court of equity, but has also the right of acting in the capacity of a court of common law, when that may be deemed expedient. It has no power, however, to try facts between parties, or to summon a jury. When it discharges the functions of a court of common law, its proceedings are said to be ordinary; when sitting as a court of equity, which it usually does, its proceedings are said to be extraordinary. When sitting as a court of equity, or court of conscience, it proceeds by bills, answers, decrees, &c., and takes every step it thinks most likely to defeat and punish fraud, oppression, breaches of trust, and every kind of injustice. So great are its powers, that it can compel a defendant to discover facts which are against his own cause; a power which no court of common law possesses. It has also the power of repealing the sovereign's letters patent when they are contrary to law, or grounded on unfounded suggestions.

The Lord Chancellor has very extensive powers, other than those he possesses while sitting in the Court of Chancery. I will not, however, refer to these, as they do not strictly fall within the objects of this chapter. He usually presides in the court by himself; but he has the right to call in the assistance of other judges when he pleases. There are twelve Masters in Chancery, who perform the subordinate business of the court. The Master of the Rolls sits for the Lord Chancellor in his absence. The importance of the Court of Chancery may be inferred, not only from the circumstance of its jurisdiction over the other courts, but from the amount of property sometimes locked up in it. Some years ago, when the doubts and misgivings of Lord Eldon caused a great accumulation of business, the amount of property litigated in the court was little less than £1,000,000. In one case alone, money to the amount of nearly £1,000,000 was locked up.

The slowness of the Court of Chancery in delivering judgment on cases before it, used to be proverbial. It is said that one case was actually undecided for upwards of a century. Many cases have been before it for forty, thirty, and twenty years. Of late there has been greater expedition in disposing of its business. The Vice-Chancellor's court has been of great service in this respect. Great reforms have of late years been made in the Court of Chancery, chiefly through the instrumentality of Lord Brougham; and never were reforms more needed. It was, for a long period, in a most frightful state. What between its enormous expenses and its interminable delays, it has ruined numerous wealthy families who have had the misfortune to enter or be dragged into it. Many a heart has it broken; many a suicide has it been the cause of.

During the proceedings in this court, the great seal is always supposed to be lying on the table before his lord-

ship. This, however, is a fiction. The seal itself is never there: it is carefully locked up in the Lord Chancellor's house. Nothing but the bag, which contains it on important occasions, is on the table. This bag is made of a peculiar kind of silk, and has the designs of the seal itself wrought into it.

The Vice-Chancellor's Court is of recent origin. It was established in the fifty-third year of the reign of George III. The reason assigned for its institution, was the great increase in the business of the Court of Chancery. All its jurisdiction is derived from the latter court. The Vice-Chancellor is completely under the Lord Chancellor. The Vice-Chancellor's Court can hear and determine all cases which the Court of Chancery sends into it—only that all its decisions are subject to be reversed by that court. Indeed, its decisions are not properly speaking law, until they have received the signature of the Lord Chancellor. The Vice-Chancellor is created by the sovereign's letters patent, and must, before his appointment, have been at least fifteen years at the bar. He must sit whenever the Lord Chancellor requires him to do so. As regards rank and precedence, he is next to the Master of the Rolls.

The Rolls' Court may also be regarded as a branch Court of Chancery; with this difference, that it is strictly, in practice at least, a court of equity. After the details I have given of the Court of Chancery, it is unnecessary to make any remarks explanatory of its powers. The business now done in it is large, and oftentimes cases of very great importance are heard and decided by it. The Master has, on various occasions of late years, presided in the Court of Chancery in the Lord Chancellor's room, when the latter has been unavoidably absent.

All the equity courts sit, with very few and very short intervals, throughout the year. The terms which regulate the sittings of the law courts do not at all affect them. They sit during the chief part of the year in Chancery Lane. Such are the courts at Westminster Hall."

BLACKBIRD, AN INDIAN CHIEF.

THE following lively sketch of the life and character of Blackbird, a celebrated chief of a tribe of American Indians, is given in the appendix of the *Gazetteer of Missouri*, lately published in New York, and seems to us worthy of being made known in this country, from its exhibiting a curious picture of social life in the western wilds.

The principal chief of the Omaha tribe of Indians, the location of whose village is sixty miles above Council Bluffs, and on the same side, the right bank of the river, died in 1802. He was a brave, of iron nerves and unlimited ambition. The authority which an Indian exercises is at first obtained by winning the approbation of the people of the tribe, in the same manner that a white politician obtains the suffrages of his countrymen. There is a small difference in the moral qualities which distinguish the white and red man. The former, it is believed, could never recommend himself by horse-stealing; whereas the red aspirant is esteemed honourable in proportion to the grand larcenies he may be able to perpetrate; and this engaging quality of horse-stealing is esteemed a virtue, next in grade to that of taking scalps. An Indian, therefore, has a table on his war-club, with two columns, in which he enters, in hieroglyphics, the number of those transactions of each class that are to render him illustrious. Although the government of Indian tribes is generally of a democratic character, yet there are many instances where the popularity of a chief enables him to encroach on the freedom of his countrymen extensively; and there are occasions where great achievements in war and in horse-stealing enable a chief to attain absolute authority. This despotism is, however, generally fixed by the united exertions of the chief and prophet, or big medicine-man. The instances of Tecumseh and his prophet, and Black Hawk and his prophet, show that the ambitious red man, like a white prince, unites church and state in his strides to absolute power. The subject of this biography had likewise the efficient aid of a cunning medicine-man, who furnished mental prescriptions for the people of his nation, and imposed, on the superstitious, magic incantations.

Blackbird had distinguished himself in the usual manner, and was acknowledged principal chief. The usual authority was conceded with cheerfulness. But Blackbird was not content with the executive duties and patriarchal authority of a democracy, and the honours attending such distinguished trust. In order to effect his purposes, he had tried, in vain, all the force of military achievement, the influence of grand larceny, and the power of eloquence. He had called in to his aid the juggling cunning of his medicine-man, with no better success. There existed in the nation a party of stern warriors, who valued freedom as highly as white patriots. They were unyielding in their opposition to the usurpations of Blackbird. He denominated this party a faction, or a "bad moccasins band;" but his reproaches were disregarded. The ambitious aspirant meditated their destruction. Blackbird desired the trader who supplied his nation with merchandise, to bring him, from St. Louis, some "strong medicine," which he believed the whites possessed, that he might destroy the wolves of the prairies. The trader subsequently supplied a quantity of crude arsenic. Soon after the chief had tried his experiments, to test the force of the poison, the disaffected braves were invited to a dog-feast at the lodge of the chief. Blackbird professed to them a disposition to heal all party dissensions, and sixty of the factions warriors sat down with him to the dog-soup, which is

esteemed a great delicacy. When all had done ample justice to the hospitality of the entertainer, the pipe was passed; and when this dessert was lending its happy influence to the circle of warriors, Blackbird arose to speak. He reminded his children of their factious course in opposing his authority—authority that he claimed to derive from the "Master of Life;" and for confirmation of this suggestion he appealed to his medicine-man near him; "and," continued he, "that Omahas may for ever remember that Blackbird has the entire control of their destinies, every factious dog of you shall die before the sun rises again! I have said it, and Blackbird never lies!" The whole party, on hearing this unsparing denunciation, in wild affright ran howling out of the lodge of their chief. Sixty warriors expired that night. During the life of the chief, his authority was never again opposed in the slightest particular.

It was his practice, when the trader arrived with the annual supply of merchandise in the Omaha village, to inquire of him how great an amount of furs and peltries he required for his entire stock. The chief then selected from the assortment as great a variety and amount as he would need for his own use, and for his numerous family. When this had been arranged, and an account had been opened with the nation by the trader, the warriors were required to furnish the number of beaver-skins, robes, and buffalo-tongues, that the trader desired to obtain in exchange for his goods. In this off-hand manner the chief drew his revenues, and the trader realised his profits, during all the subsequent reign of the despot. This rude dignitary was becoming inactive; and when his braves and hunters were toiling to sustain the reputation of the Omahas in war, or to subvert the people with the products of the chase, the chief and his prime-minister, the medicine-man, were reposing in the village. It was the custom of the chief to indulge, in warm weather, in a sleep after dinner. While in the enjoyment of this luxury, he took occasion to make it the more perfect by the polite attentions of his wives. He had six of these, and they formed three relieves. Two were employed while he slept, one scratching his back and the other fanning his highness with the tail of a turkey! If it was ever important to ask his instructions in the affairs of the nation when he chanced to be sleeping, there was only one person in the village who would venture to awaken the chief. This was the medicine-man; and his manner of approaching him was on his hands and feet, with the utmost humility and circumspection. When awakened with a feather cautiously drawn over the soles of his feet, if he made a discouraging motion with the hand, the application was abandoned. But if he beckoned the applicant to approach, the chief was respectfully invited to attend "a dog-feast which has been provided for my father."

Blackbird was a respectable warrior, and had attained his early popularity by conquest; but the distinction he most coveted was unlimited power in his own nation. When he had attained this, he became pacific toward the neighbouring nations. But a partisan leader had taken a Pawnee girl, who was, by command of the medicine-man, to be sacrificed at the stake. The son of Blackbird had seen her, and interposed in council to save her life. He laid down all the moveable property he possessed, and urged the purchase of the girl from her captor. He was inflexible, and persisted in his vow to sacrifice her to the Great Spirit. The council approved the vow, for Blackbird had permitted it. When, on the day appointed, the captive was led out to execution, young Split Cloud, son of the chief, was seen leading his buffalo-horse, not far from the head of the column where the victim was marching. After the medicine-man, with the captive and a few old warriors, had crossed a ravine in the route, and were rising to the plain, the place appointed for the sacrifice, the young warrior cut asunder the cords that confined the arms of the girl, lifted her to his saddle, and with his bow lashed his horse to full speed, before his countrymen could comprehend the meaning of his movements. He was half across the plain before pursuit was determined on; and then there were no horses at hand. He had concealed one in the next ravine, and the fugitives escaped the ill-arranged and worse-conducted pursuit of the Omahas. A solitary runner came within arrow-shot of Split Cloud, but his race terminated there—he was shot to the heart. The fugitives retired to the recesses of the Black Mountains, and took up their abode there, until home affairs should present a more inviting prospect. Their wedding was thinly attended; but the blush of affection glowed as vividly on the cheek of the bride, as that which mantles over the neck more tastefully adorned, in civilised circles, on like occasions. The self-married pair passed a year in the solitude to which they had retired, content with the society each was able to afford the other, when Split Cloud deemed it advisable to revisit his nation. In this lone retreat he left his spouse, with the purpose of retracing his steps in the brief space of a few weeks. A sufficient supply of dried meat was left in the cave with its tenant, for the period of his intended absence.

When Split Cloud reached his native village, he found the whole tribe chanting the death-song over an infinite number of the dead inhabitants of the nation. The small-pox had reached the Omahas, and many had already been swept off; very few recovered. The medicine-man claimed to have power over the disease, but his practice hitherto had been unsuccessful. He looked grave, and was evidently suffering with great alarm. The most common treatment of the patients, when afflicted with the inflammatory action of the disease, was immersion in cold water. This usually afforded speedy relief, and terminated all the ills of life—with extinction of life itself. At last, after many new and imposing tricks, death itself played the last masterly act on the impostor—and old Medicine himself departed. Blackbird had lived moodily apart from the tribe, and his dignity was likely to secure him against the infection. But when his high-priest died, he attended his funeral obsequies.

This happened a few days before the return of his son. Blackbird was considering what disposition should be made of the prodigal, when he was taken ill. From the moment the first symptoms were felt by the chief, he yielded to despair, and made his arrangements for the hunting-grounds beyond the grave. He desired that he might be buried with suitable variety of arms and ammunition, that his enemies might get no advantage of him. He probably anticipated meeting with the poisoned warriors, on the banks of the river Phlegethon. As he himself had apprehended, Blackbird was a victim to the disease. The funeral was grand and imposing. The warrior was placed erect on his hunting-horse, and thus, followed by the whole nation, he was conveyed into the grave that had been previously prepared, on the highest point of land, near to the Missouri river. The horse, alive, was forced into the grave with the dead rider, and thus covered over. A small parcel of corn was placed before the animal; and Blackbird was supplied with dried meat, a kettle, his pipe and kinakauik, gun, with ammunition, bow and full quiver of arrows, and paints suitable for ornamenting his person, both in peace and war.

When the funeral was at an end, the trader arrived. His knowledge of the small-pox enabled him to save from its ravages the remainder of the tribe. All eyes were naturally turned on the son of Blackbird, as successor to the deceased chief. Young Split Cloud deemed himself so fortunate in the altered position he now occupied, having shifted the character of fugitive and culprit for the appointment of hereditary and popular chieftain, that he relaxed much of the despotism of his predecessor. Having settled the affairs of the nation and reduced the tariff, he found leisure to depart in search of his Pawnee wife. Autumn was far advanced when he left the Omaha towns, and, as he approached the mountains, winter, with its utmost rigour, set in. The emotions with which his savage and sensitive mind was agitated, had not the refinement of poetry, chastened with rhetorical arrangement, candour and measure, to soften his suffering. He was not able to murmur, as he approached the place where he had deposited his treasure—

"Tis sweet to hear the watch-dog's honest bark
Bay deep-mouthed welcome as we draw near home;
'Tis sweet to know there is an eye will mark
Our coming, and grow brighter when we come."

But he had the elements of poetry rudely commingled with the romance of his reckless life, and his singular domestic arrangements. He found the partner of his life's vicissitudes in the cave where he had left her. She was sitting near the expiring coals of her last fagot of fuel, bending over a pair of babes, who were unconscious of the manifold evils of the world they had just entered, but sensibly aware of the pain of extreme hunger, which their mother was sharing with them. The holy fountain whence they had drawn supplies had been drained; and the furnished mother sat the picture of patience and despair. Hope had hitherto pictured in her imagination a sunny spot, such as that which was about to break upon her in the arrival of her preserver. But gnawing necessity had carried her to that maddened point which fixed the cannibal purpose of eating one of her infants, to preserve herself and the other one, until the long-wished-for relief should be realised. At the precise point of time when the person of her husband darkened the entrance of the cave, she held the knife in her hand, and was fondly lingering in the debate of her own mind, which should be made the victim—which dear object should be preserved at such countless cost. The keen perceptions, the fine-drawn threads of affection, the result of protracted privation, lent unceasingly vigour to her mind, when her final resolve was fixed, to perish with her offspring, and by the same innocent cause. She hurled the instrument of her bloody purpose far away into the dark recesses of the cavern, and placed the hungry babes upon her bosom as she sunk back in despair, unmitigated with a single ray of hope. At this critical instant, the young warrior, in the full vigour of manhood, animated with virtuous purposes, sprang forward and gave utterance to a scream of joy, imparting a like sensation to the suffering object of his solicitude. The interchange of sentiment was full of sadly pleasing emotions, as the long fast of the wife and mother was broken over a kettle, amply provided by the skill of the hunter.

Sixty suns had risen and set after the thrilling events just described, when the Omaha nation was made joyous with the appearance of Split Cloud. He was followed by his foreign wife, whom he had twice snatched from destruction, and who now repaid him with the smiles of two young braves, peering over each of her shoulders, from beneath the ample folds of a new scarlet blanket.

THOUGHT-EXCITING SENTENCES,

FROM THE BEST AUTHORITIES.

[As collected in a curious modern production, entitled *The Mirror of Time*. 2 vols. 8vo. London.]

I AM sent to the ant, to learn industry; to the dove, to learn innocency; to the serpent, to learn wisdom; and why not to the robin redbreast, who chants its as cheerfully in winter as in summer, to learn equanimity and patience.—*Warwick*.

Inquietudes of mind cannot be prevented without first eradicating all our inclinations and passions, the winds and tides that preserve the great ocean of human life from perpetual stagnation.—*Jenyns*.

'Tis one of God's blessings that we cannot foreknow the hour of our death; for a time fixed, even beyond the possibility of living, would trouble us more than doth this uncertainty.—*King James*.

Conversation augments pleasure, and diminishes pain, by our having sharers in either; for silent woes are greatest, as silent satisfactions least; since sometimes our pleasure would be none but for telling of it, and our grief insupportable but for participation.—*Wycherley*.

The way to cure our prejudices is this, that every

man should let alone those that he complains of in others, and examine his own.—*Locke*.

We can behold with coldness the stupendous displays of Omnipotence, and be in transports at the puny essays of human skill; throw aside speculations of the sublimest nature and vastest importance into some obscure corner of the mind, to make room for new notions of no consequence at all; and prefer the first reading of an indifferent author, to the second or third perusal of one whose merit and reputation are established.—*Grove*.

Among the writers of all ages, some deserve fame, and have it; others neither have, nor deserve it; some have it, not deserving; others, though deserving, yet totally miss it, or have it not equal to their deserts.—*Millon*.

Age will superciliously censure all who are younger than themselves, and the vices of the present time as new and unheard of, when in truth they are the very same they practised, and practised as long as they were able. They die in an opinion that they have left none wiser behind them, though they have left none behind them who ever had any esteem of their wisdom and judgment.—*Clarendon*.

The master of superstition is the people; and in all superstitions wise men follow fools.—*Bacon*.

Make a point never so clear, it is great odds, that a man whose habits and the bent of whose mind lie a contrary way, shall be unable to comprehend it. So weak a thing is reason in competition with inclination.—*Berkeley*.

Scarcely have I ever heard or read the introductory phrase, "I may say without vanity," but some striking and characteristic instance of vanity has immediately followed.—*Franklin*.

Truth and reason are common to every one, and are no more his who outspoke them first, than his who speaks them after.—*Montaigne*.

THE TOLLMAN'S DITTY.

[The following whimsical verses are from the pen of A. Aitken, commonly known in the west of Scotland by the name of the *Bleith Poet*. They appeared first in a Glasgow newspaper.]

I ha'e plough'd, I ha'e delved, cutt'd hay, shorn, and thrash'd,
An' hok'd baith limestones an' coal;
I ha'e tried many a shift for a wee bit o' bread,
But the worst ane was keeping a toll.
Ye glour at me noo w' suspicious regard,
An' say my assertion is droll;
For ye've nae mair to do but to haud out your han',
An' receive the bawbees, at a toll.
Gif bawbees be gotten, it's aft w' a grudge,
Or a jeer that is whiles ill to thole;
Not as money that's awn, but bestow'd as an aim
On the puir beggar-man at the toll.
"I'm goun to the smiddy," ane cries, or "the plough,"
Or "the grass w' my mair an' my foal;"
There is aye some excuse, for fow think it a sin
To cheat the puir man o' the toll.
For the folk gae to town, lang the toll-keeper watches,
Till, drowsy an' blin' as a mole,
His patience worn out, he retires to bed grieved
At the want o' his rest an' his toll.
Then he's nae sooner down till the horses are prancing,
An' the wheels on the causeway loud roll;
An' he fin's to his grief that he never will get
Either money or rest at a toll.
On Sunday, when folk gang in fashion's array
To hear the divine read his scroll—
Then the carts, cars, an' gigs, are in special request;
For they drive on without paying toll.
Frae the toll-house religion benign takes her flight
(For the Bible man lie in the bole),
E'en its form ceremonial can scarce be observed
'Mid the night's an' day's watching for toll.
The toll-keeper, too, maun look surly an' rough,
The lads w' the whips to control;
His cry maun be loud, an' his arm prone to strike,
Or he'll ne'er get the half o' his toll.
Yet wha would despise the poor toll-keeper's trade
But the proud, or the stupid chodpole;
For men of all place, or profession, or rank,
What are they but lifters o' toll?
Ane ushers us into the world at our birth,
Another ane houns our last hole;
During life mutual service is rendered, 'tis true,
But it's a' for the sake o' the toll.
The priest prays an' preaches w' fervour an' zeal,
To free us frae sin an' frae dole;
Though the wark be divine, yet he'll no speak a word
Till he kens wha's to pay him the toll!
The law-man prolongs your plain cause through long years
(For he ettles to seize on the whole);
His harvest of wealth is insolvent distress—
There he's certain of getting his toll!
Frae the king on the throne to the poor gaberlunzie,
Wha roun' for a morsel does stroll,
The powerful an' wealthy demand what's their due,
An' the poor—they a' lift toll.
When fierce comets blaze, boding scath to the nations,
An' frost an' snaw come frae the pole—
Mad wars, ruin'd trade, an' the glebe's scanty produce,
Scraps many a sene o' the toll.
Had I a wee house, an' a weel-shelter'd yard,
Near a burn on a bonny green knoll,
I wad live there in peace, quite regardless an' easy,
Wha flate, or wha fought to get toll.
For the boy w' his dragon, his peerie, or hoop,
Or the wee lassie baskin' her bod,
Is mair happy, contented, and cheer'd in bright hope,
Than the man 'mang the coins at a toll.
Yet a dark jail itself a wish'd refuge has proved
To mony a toll-worn-out soul;
Sae there's plenty are glad in their auld days to dree
Baith the scath an' the scorn o' a toll.

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